

# SPARTAN DAILY

Volume 69, Number 2

Serving the San Jose State University Community Since 1934

Wednesday, September 7, 1977

## Parking ban ignites last-ditch efforts

### Parking petition drive seeks 10,000 signatures

More than 6,700 students and 370 local homeowners have signed petitions protesting the San Jose City Council's proposed parking ban on streets east of campus scheduled to go into effect tomorrow.

"We're trying to hit 10,000 signatures by the end of the week," said Edna Campbell, A.S. vice president. "We've had a lot of student s take petitions back to their fraternities, classes and dorms. Those are just beginning to come in."

The petition asks that the parking ordinance be reconsidered by the City Council in a public hearing while classes are in session. The council made its decision in June.

A.S. petition tables will be manned from 8 a.m. to 7 p.m. until Sept. 16. Tables are located in front of the Student Union, between Dudley Moorhead Hall and the Reserve Book Room, and between the fountain and the chapel.

Emil Wikke, 580 S. 14th St., has

collected 250 signatures on his petition from residents who live between 12th and 17th streets and are opposed to the ban.

"After we get 300 signatures," he said, "we're going to write a letter to the City Council and get on the agenda. We're going to try to get it repealed."

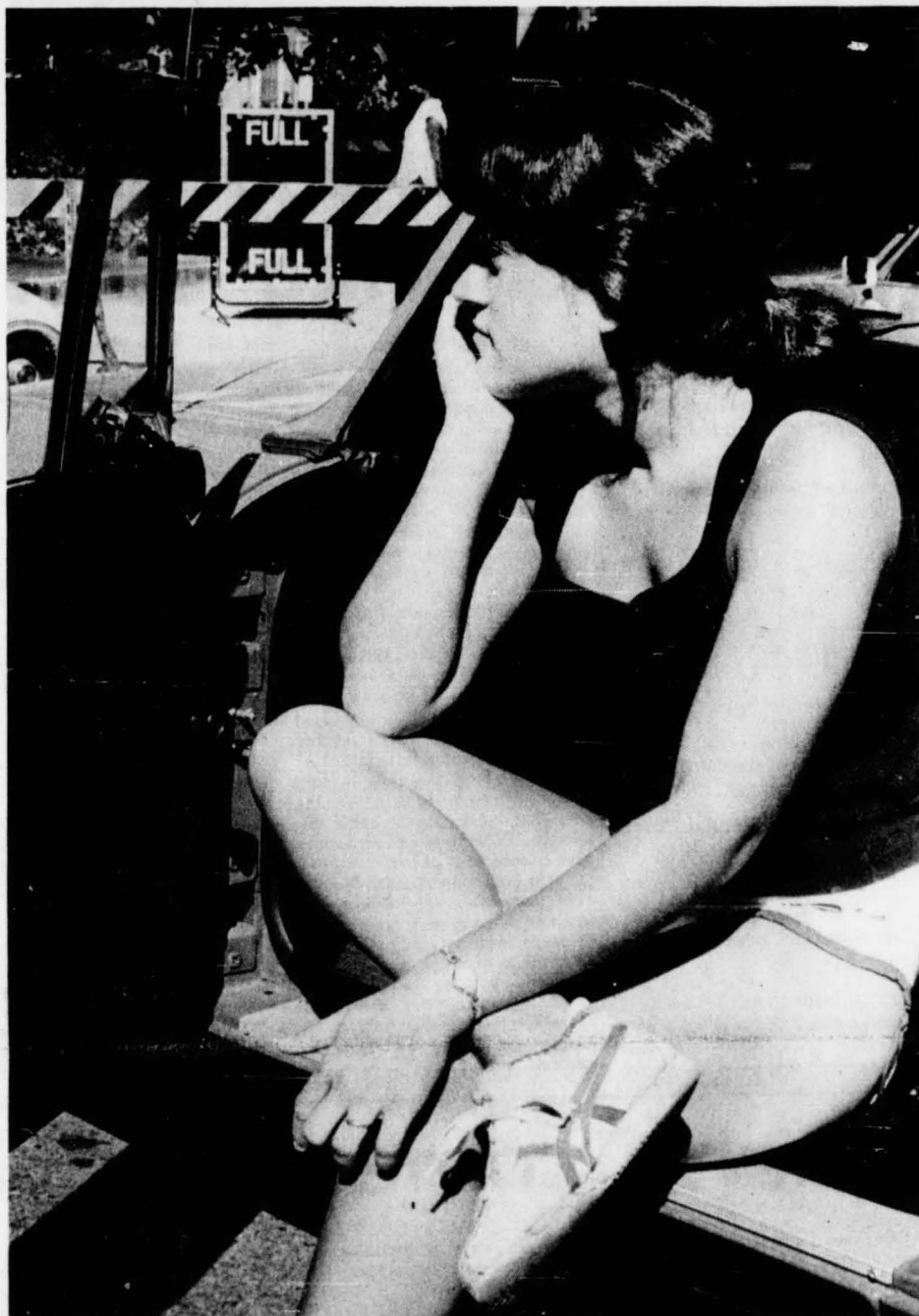
Wikke thinks the ban will start as planned tomorrow, but isn't happy about it.

"The only way I'll be satisfied is for them to take the signs down," he said. "I'm a homeowner and I don't want them at all."

Also collecting signatures against the ban is Cheri Quinn, 345 S. 15th St., who is more optimistic than Wikke.

"I don't think it will go into effect," she said. "I think they're (the university) going to get a stay on it."

Quinn, who has 120 signatures, also plans on presenting her petition to the City Council after it has been circulated further.



"I thought I was smart by coming in early," Cindy Urata said of the parking predicament at the 10th Street Garage Tuesday morning.

### SJSU seeks court ruling on ban

Attorneys representing SJSU are seeking a temporary restraining order today against the city's ban on non-resident parking east of campus.

The ban, which will close approximately 650 parking spaces to students, is scheduled to go into effect tomorrow.

The hearing is set at 9 a.m. in Judge Allen's chambers in Superior Court.

Should Deputy Attorney General Richard Mayers, representing SJSU, be successful the ordinance will not go into effect until a second hearing can be held 10 to 15 days later. Mayers said he is cautiously optimistic about the case. The constitutionality of the ban will be questioned.

A deputy city attorney, Willee Lott Jr., will plead the city's case.

"WE (the city) have the authority to do what we did under the Vehicle Code", Lott said. "The state gave us the right, so we did it."

The court will not hear the merits of the case until the second hearing, according to Lott. If the temporary restraining order is denied the law will go into effect tomorrow.

The city ordinance bans parking on 12th through 17th streets, bounded by Highway 280 and E. San Fernando, except by permit. Only residents of those streets will be allowed permits.

The parking restrictions will be in effect, initially, between 1 p.m. and 8 p.m.

A restraining order, if granted, would be the first step for the university in its attempt to stop the ban.

At the second hearing university lawyers will attempt to enjoin the city from implementing its parking ban by arguing for a preliminary injunction.

If the presiding judge rules the ordinance unconstitutional an injunction will go into effect for about six months.

If the judge decides that preferential parking is legal the ordinance will immediately go into effect.

### Companion kissed

## Students tangle with councilman

By Doreen Carvajal

A night on the town turned into disaster for two SJSU students who crossed paths with Councilman David Runyon outside a posh San Pedro St. restaurant.

Scott Lewis Allen, Spartan Daily staff photographer, and Daniel Martin Grady, a senior in advertising, incurred the wrath of the freshman councilman after Allen lifted a female member of the Runyon dinner party and kissed her

in the parking lot outside the Farmer's Union.

The pair claimed that the incident started out as a "merry" conversation with members of the Runyon dinner party and escalated into a furious war of words and threats when Runyon rejoined his party.

According to Allen, the pair struck up a humorous conversation between Gady and members of the Runyon party--William Priest, a San Jose attorney, Priest's wife Bonnie, and Janet Guirsch.

Allen said the conversation resulted in good-natured embraces of the women in the group. In that spirit, Allen said he picked up Mrs. Priest, kissed her and carried her a few steps "as a joke".

William Priest never objected, Allen claimed.

The mood of the evening turned ugly, Grady said, when Runyon rejoined the party and picked up fists full of gravel and rocks which he threatened to throw.

After that, Runyon presented his council business card to the students, which Allen admits he chewed up and spit out.

Grady said he persuaded Runyon to drop the rocks.

Runyon, who is calling for an investigation of the incident, claimed he made a citizens arrest of the two students but police on the scene failed to support his efforts.

No arrests were made, and Grady and Allen deny that Runyon ever attempted a citizen's arrest. Both admit to drinking, but said they were not drunk. They claimed Runyon was.

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David Runyon

### WEATHER

Fair and cooler today except for patchy night and morning low clouds.

## McNerney firing ruled 'arbitrary'

By Cheryl Dennison

SJSU President John Bunzel rehired instructor Tom McNerney after a campus grievance committee reported McNerney was "directly wronged" by "capricious and arbitrary actions" when the university fired him last year.

The committee also recommended this year be officially listed as McNerney's third rather than fourth year with SJSU. That will give the probationary instructor an additional year to prepare for his bid for tenure.

When the university fired McNerney, officials claimed the administration of justice instructor was not as effective in his teaching as he should be, that he had not published any scholarly work and that he had made no progress toward his doctorate.

However, the committee found that:

McNerney was an "average to above average teacher" with the potential to become a superior one, the university ignored McNerney's heavy work load and was unreasonable to expect any published scholarship, and progress was being made toward his doctorate ahead of the rate McNerney agreed to when he was hired.

Bunzel followed the committee's recommendation because its solution "was not that unreasonable," said Dean of Faculty Robert Sasseen, outlining the university's position.

"We recognized even before the hearings that the guy was not totally without merit," Sasseen said. "There's no harm in giving him

some more time. We'll see what he can do."

Testimony presented during the hearing "thoroughly discredited" the negative comments of two A.J. faculty members concerning McNerney's performance, the committee's report said.

"The evidence and the testimony also indicate that these discredited statements were given undue credence by those who had yet to make decisions regarding the retention of Mr. McNerney," the report continued.

The two faculty members the committee refers to are A.J. Department Chairman Ed Peoples and Prof. Ray Quinn.

Peoples, who resigned his position this summer, repeatedly had told the grievance committee McNerney had made no progress

toward his doctorate, according to the report.

"This was incorrect," the committee wrote. "By April 26, 1976, Mr. McNerney had passed his qualifying examinations, had formed a dissertation committee, had submitted a prospectus and was in the process of revising the prospectus."

The committee listed other wrongs against McNerney:

Department officials did not provide any professional guidance and did not give McNerney an "honest appraisal of the alleged 'problems' in his teaching."

McNerney was given "inadequate opportunity to develop and to polish his courses before serious peer evaluations were conducted."

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### Probe

## Chairman denies claim that A.J. Dept. hurts students

By Cheryl Dennison

A San Jose police sergeant, calling SJSU's administration of justice program "a joke," said the only way to improve the department would be to fire most of its faculty and make its curriculum more relevant to the problems police officers face on the street.

Sgt. Dan Jensen, a 1975 graduate of SJSU's A.J. Department, said many of the instructors teach irrelevant material out of textbooks and "sugar-coat" the facts about police work.

Edward Peoples, A.J. department chairman last year, said SJSU's 500 law enforcement majors are receiving good

preparation for police work, although some people have criticized the program.

SJSU's A.J. Department, one of the oldest in the country, is reputed to be among the best on the West Coast, according to Peoples and some San Jose Police Department (SYPD) officials.

"But if this is the best," Jensen said, "then the rest must be a piece of shit."

Jensen has been a police officer for 10 years, enrolling part-time at SJSU in 1970. He testified against the university's A.J. Department last spring during the grievance hearing for instructor Tom McNerney.

SJSU's department is not respected by

many of the San Jose officers he works with "mainly because of the irrelevancy" of the education, Jensen said.

"Police are usually attacked for insensitivity to the public," he said. "But there is nothing in the required curriculum that teaches you how to deal with different cultures, values or philosophies."

The one class on community relations is "just an elective," Jensen said.

Capt. Gordon Ballard, SYPD personnel manager, said degrees from SJSU are given the same respect as degrees from other accredited colleges.

"It doesn't matter at all to us what degree a student has," Ballard said. All it means is that a person has met the initial requirement of 60 college units."

Ballard said he has heard officers express both respectful and disrespectful opinions about SJSU's program, "but of course, this is in the realm of opinion and everyone has their own."

Jensen testified during the McNerney hearing that one of his supervisors told

him in 1975 that "I was wasting my time" attending SJSU. He later identified the supervisor as Assistant Police Chief Jay Probst, who was then a captain in charge of personnel.

"We were driving by the college and he (Probst) pointed to it and said, 'You're not going to learn anything there that's going to help you as a police officer,'" Jensen said.

Probst said he doesn't remember the conversation, but the remarks attributed to him are inconsistent with his view that police officers need education to help them deal with the public.

Peoples, former A.J. chairman, said the department has been criticized by "various people for various reasons."

"Some police administrators feel we've become too theory-oriented and don't offer enough 'nuts and bolts'," Peoples said. "Others feel just the opposite."

The A.J. Department has gone much beyond "the old 'Handcuffing 1A,' "

Peoples continued. "We want to put law enforcement into a historical and philosophical point of view. The police aren't seen as an organization to fight crime, but as an integral part of society, reflecting its values."

Jensen said students need more "practical information" about the problems they will face on the street.

"After ten Chicano people have slapped you in the face, how are you going to treat others in the future?" Jensen said. "Anyone who wants to be a police officer should be made to think about things like that."

Students should also be aware that police work is likely to cause problems in their personal lives, he continued.

"Can they deal with the conflicts they're going to feel, with the high risk of marriage failure and alcoholism officers faced with the likelihood their children will grow up delinquent because they're never around the house?" he questioned.

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# FORUM

## EDITORIALS

### McNerney

Justice for Tom McNerney has prevailed...finally.

A three member grievance committee recently determined the administration of justice assistant prof. was "arbitrarily and capriciously" fired. He won his job, but only after spending thousands of dollars and hundreds of hours in a needless battle.

If the charges against McNerney had some basis, if the criticisms had been made in the name of quality education, then perhaps McNerney's ordeal was worth the costs.

But this doesn't appear to be the case.

The grievance committee found two A.J. Department members, Chairman Ed Peoples and Prof. Ray Quinn, repeatedly lied when they evaluated McNerney's performance.

The department expected unreasonable amounts of work from him and ignored much of his accomplishments. It justified its decision to fire him on unsupported claims that he intimidated his students and consistently strayed from the material he was hired to teach.

Hopefully, McNerney's struggle will serve as an impetus to other wronged faculty members and as a deterrent to future abuses by university officials.

### Fresh air

The selection of Dr. Gail Fullerton as SJSU executive vice president brings a needed rush of fresh air and openness to this university's higher administration.

During her apprenticeship as acting vice president this past spring and in the weeks prior to fall semester's beginning, The Daily has found Fullerton to be a hard and dedicated worker.

We also commend her for candidness, honesty and helpfulness in her dealings with us.

In an administration which congratulates itself for being open and accessible, we find Fullerton one of the few who is consistently approachable.

## Groucho Marx: comedy's big loss

By Bill Weeks

The following is an excerpt from the "You Bet Your Life" television series of the 1950s:

Groucho Marx: Are you married, madam?

Contestant: Why yes, Groucho, I am very happily married.

Groucho: Do you have any children?

Contestant: Yes, as a matter of fact we have 13 wonderful children.

Groucho (in amazement): How did you and your husband manage to have so many children?

Contestant: Well Groucho, I really love my husband.

Groucho: Well I love my cigar but I take it out of my mouth once in awhile.

### Spartan Daily

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Groucho is sitting with friends in a bar in Manhattan. A catholic priest approaches Marx and shakes his hand.

Priest: Groucho, I just wanted to thank you for bringing so much joy into the world.

Groucho (glaring): And I just wanted to thank you for taking so much joy out of it.

If one was to point to the comedian most representative of the 20th Century, Groucho Marx would be an excellent choice.

Bill Weeks is the Assistant Forum Page Editor.

He began in vaudeville, went on to motion pictures, had a hit radio series, wrote several hilarious books, and entered television in its infancy all in one incredible lifetime.

Marx has been a major influence on practically every comic in the last four generations, being able to change with the times since he never really liked any of them he lived in.

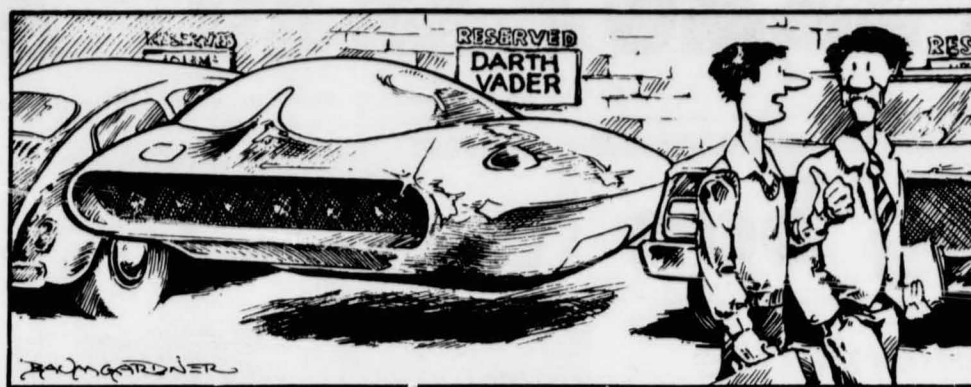
Never losing touch with the entertainment industry, Groucho was a frequent consultant to such latter day stars as Johnny Carson, Dick Cavett, Woody Allen, and David Steinberg even after they had attained a large following themselves and Marx was in his 80s.

What other comedian could come out on stage at the tender age of 82, as Marx did in 1972 with his series of one-man shows, and maintain the same wit, sarcasm, and timing that won him fame in vaudeville acts in the 1920s.

As for his work with the Marx Brothers, one can merely recall the titles of some of their motion pictures: Monkey Business, Duck Soup, Animal Crackers, A Night at the Opera, to be reminded of the tremendous revolution Groucho helped cause in comedy.

To oversimplify the Marx Brothers genius, they seemed to change the motion picture comedies from mindless, pie-throwing, novelties to intelligent social statements without ever approaching being corny.

Groucho and his brothers seemed to reflect the mood of the Depression of the 1930s by tackling



"MUST BE A NEW ASTRONOMY TEACHER"

## Courts offer no parking solution

By David Willman

Too often of late the critical SJSU parking problem is being described as one of villains and good guys, especially if one listens to preachings of the San Jose City Council and Mayor Janet Gray Hayes.

These city leaders recently passed a selective parking ban which is certain to detrimentally affect this campus.

It was in the absence of the student voting block during summer break that the mayor and the council decided to get tough about the parking problem.

Unsurprisingly, their new-found boldness is not supported by any sound logic or empirical evidence.

But perhaps the civic leaders did not intend to draft a sensible decision, in which case some understanding for the parking ban on area streets can be found.

It is believed here than the ban is a desperate, yet ill-conceived, attempt by the city leaders to pressure university administration and CSUC trustees to invent a solution for parking problems which have plagued the central city for well over a decade.

By making commuting SJSU students and employees the pawns

of their pressure-game, however, the city leaders have made a mistake they may eventually regret.

The city has forced University President John Bunzel to seek a court order to halt implementation of the parking ban, and this will undoubtedly spark a series of court fights.

By causing the courts to step in, the city leaders are on the brink of unscrupulously removing the entire community from the decision making process. Now all must brace for a host of court edicts which are not likely to provide any viable long term solutions to the parking problems.

Instead, court orders will only delay workable remedies, and exacerbate ill feelings between those involved.

City leaders would have been far better off had they continued to try and work with student representatives, university administration, area residents and transit authorities.

Typifying her simplistic approach to the problem, Mayor Hayes offered this rationalization of the parking ban in an article prepared for the San Jose Mercury

"Children of campus community residents cannot play or cross the street safely because of

this needless ritual (student parking)."

Very touching. But does the mayor really believe that children are not to be playing on streets not affected by the parking ban? Since SJSU commuters will now have to move their cars to these other avenues, it is puzzling to determine who the mayor is protecting.

In the same article the mayor attempted to justify the parking ban saying the university had refused to "alleviate the parking problem".

That is a gross misrepresentation of facts. The university has constructed parking garages (with state money) and for nearly a year Executive Vice President Gail Fullerton has been diligently at work on the problem.

Despite what the mayor may espouse, the university holds no magic wands. It has been further hampered by two consecutive governors who have proved unwilling to financially bolster higher education.

The parking ban is surely headed for court modification, but until city leaders alter their callous attitudes toward this university and begin dealing with the complexities of the problem, petty pressures games such as the one being waged now will continue indefinitely.

## Letters to editor

### Parking reactions

Editor:

I congratulate the San Jose City Council members on their bold move to ban parking on the streets around SJSU. Dr. John Bunzel and the college administration are responsible for the parking mess, not the council.

The administrations has had years to find a proper solution but has failed to do so. The move by council will get the campus administration moving. Don't let Dr. Bunzel focus your anger at the council to cover up and dismiss his lack of action. Put the blame where it belongs.

I also agree that the parking ban is unconstitutional and the city council realizes it will not pass a court test. It is however, serving a purpose: getting the college moving.

The solution to this mess is not more parking spaces but better public transportation. There should be several parking areas throughout the county that can be connected to the college by shuttle buses.

The county bus administration should be persuaded to run more buses to and from the campus. Cars carrying more than one student should be given parking privileges.

What ideas do you have?

Again, let me praise the city council for its action. They knew the controversy it would cause. Let me point out the college administration as the real villain.

Further, a comment on (A.S. President) Steve Wright's hemorrhoid speech to the San Jose City Council.

Steve, it stunk. Save your witty sarcasm for the restroom walls and learn to respect the council. Show respect and you will receive it in return.

Ruben Salinas  
Political Science Major

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Editor:

With all the accusations these days over who's to blame in the recent parking crisis, one group has not received the full attention it deserves. I'm talking about the students who sit one to a car waiting to get off the freeway. Let's face it, the real cause of the problem is not the parking ban, or the lack of an additional parking garage, it's our inability to get out of our eggshells and share a ride with a friend.

We should be congratulating the mayor and the city council for standing behind the most necessary provision, to limit the sprawl of the automobile, ever to come out of a governmental agency in this state. What it really does is not just inconvenience students, but rather it sets a precedent for better and more efficient use of the automobile. Does the bus take too long? Do car pools mean driving an extra mile out of your way? Or does it mean waiting an extra hour or two after school for a friend? Sacrifices are going to have to be made before we ever achieve the needed limits in our present means of transportation.

Isn't it ironic that people sign petitions which inevitably lead to a worsening of the very thing they protest? If we don't stop the sprawl, do you really believe the university will have the necessary spaces for future increases in automobile traffic? As Gail Fullerton says, auto use has gone up ten-fold while student enrollment only doubled. When will it stop? Will we be parking out on N. 21st Street? Of course they could build a new parking garage, but that's a very sad thought. The money could be better spent on new recreation facilities or on new classroom space.

Has the university gone into the parking business, has Bunzel become a car jockey?

It's enough to make anyone mad, had those 3,000 people signed a car pool roster, there would no longer be a parking problem at this university, 1500 space is more than enough to handle the situation. Remember, if the protestors win, we all lose. For if it falls here it falls statewide, and with it the necessary milestone for the future limitation of the ugly in the residential and commercial sections of our downtown areas: Parking lots and streets littered with cars. If Gail Fullerton and Steve Wright are so interested in setting precedent, I suggest they direct their energy with Mayor Hayes, not against.

Double up and save, if anything we could all use the extra hundred bucks carpooling can give us.

Luke A. Sims  
Undeclared Sophomore





# From test tubes to wine glasses

## A vintage year for chem class

by Gary Peterson

There are those who contend the only way to make some classes bearable is with a good bottle of wine.

While Dr. Lanny Replegie would prefer his students refrain from imbibing in class, he does teach a course in how to make that good bottle of wine.

"The Chemistry of Wine" is a class Chemistry Prof. Replegie first taught in the spring 1975 semester. He also taught it this summer, and the class is currently being offered through the Chemistry Department.

According to Replegie's green sheet, the class aims to introduce the student to the chemistry of wine. It also includes the important components of wine and chemical changes during fermentation, maturation, and aging.

"There's basically two kinds of students who take the class," said Replegie, who has made wine as a

hobby for 17 years. "When I teach the class at night," he said, "I get mainly people who are amateur wine-makers, and are interested in the wine aspect."

When the class is taught during the day, he added, most students approach it from a chemistry standpoint. "What I do is alter the course description slightly depending on when the class is taught," he said.

Replegie himself is something more than an amateur wine-maker. He recently began selling wine under his own label, Ventana, in conjunction with Stony Ridge Winery in Pleasanton.

"Sales have been going pretty well so far," he said. "At the moment we're only selling malvasia bianca and white riesling (both 1976 vintage), but we'll be adding zinfandel and cabernet sauvignon in 1978."

While selling his wine is new to Replegie, winning



awards with it isn't. At the 1975 California State Fair he won awards for his cabernet sauvignon, sylvaner and zinfandel, and enjoyed similar success at this year's fair.

Replegie points out his class isn't a lab-yeet.

"We don't actually make any wine—it's strictly a lecture so far," he said.

Even so, one of the prerequisites for the class is that students be 21 or older, as field trips and wine tasting are often included in class activities. One year of college chemistry is also required of students.

Replegie said this is his most interesting class to teach.

# Poll shows SJSU students uninformed on parking ban

By Kathy Morrison

Although most SJSU students are aware of the San Jose City Council's ban on non-resident parking east of campus, a majority of them do not know when that ban goes into effect, according to an unsolicited poll by the Spartan Daily.

The ban, which prohibits all non-residents from parking on portions of 12th through 17th streets between 1-8 p.m. Monday through Thursday and 1-4 p.m. Friday, is scheduled to become effective tomorrow.

Of 50 students surveyed by the Daily Friday and yesterday, 90 per cent knew of the existence of the parking ban.

However, only 36 per cent were able to say when the ban begins. Of the 31 persons who said they were drivers, 39 per cent knew that it will begin tomorrow.

Of 29 students who said they were returning to SJSU, 27 were aware of the ban and 13 knew when it began. Seventeen of 20 new students knew about the ban, and five of those were sure of when it started. One person questioned is not a student at SJSU.

Fifty-four per cent of those questioned said that the parking problem has affected how they get to school, such as arriving much earlier than they needed to or taking the bus instead of driving at all.

Some 80 per cent of the students questioned expressed an opinion about who was responsible for the

campus parking problem.

Specific answers varied widely, however, with blame distributed between the city of San Jose (22 per cent), SJSU (14 per cent), both (22 per cent), everyone including the students (10 per cent), and SJSU President John Bunzel (6 per cent). Other answers included the residents, the drivers and "no one in particular."

Several of the persons who felt the city, the university or both were responsible blamed a lack of prior planning for the current parking situation.

"It's really a lack of foresight by both San Jose and the university," one driver said. "They should have anticipated the growth in the area."

Several students felt that the city or SJSU should build one or more multi-level parking lots on the deserted block between Third and Fourth streets.

One student felt that the city doesn't stress alternatives to driving (such as carpooling), while another felt it is the university's duty to provide such services for the students.

No comments on the new parking ban were favorable towards it, with one student remarking "it was really tricky of them (the city council) to pass it over the summer."

Have you heard about the city council's parking ban east of campus?

Yes - 90  
No - 10

Do you know when that ban goes into effect?

Yes - 36  
No - 64

How did you get to school this morning?

Drove - 62  
Walked - 18  
Bus - 10  
Bike - 6  
Rode in with a driver - 4

Has the parking problem affected how you get to school?

Yes - 54  
No - 46

Who do you feel is responsible for the parking problem?

City of San Jose - 22  
SJSU - 14  
Both city and SJSU - 22  
Everyone involved (including students) - 10  
President Bunzel - 6  
Other - 6  
No opinion - 20

# Gov. Brown, Bunzel 'sued' for discrimination

SJSU President John Bunzel, California State University and Colleges trustees and Chancellor Glenn Dumke, Gov. Edmund G. Brown Jr. and various state officials are being sued for racial discrimination... maybe.

The plaintiff, fired from a probationary position in the SJSU library in 1975, is adamant about returning to his job. He even has a court date, Sept. 19.

What he doesn't have, however, is an attorney to represent him.

Even stranger, the defense attorney forgot, until he received a phone call this week, that the trial was scheduled.

Richard Mayers, deputy attorney general of California, is representing the defendants, but acknowledged he knew nothing off-hand about the case.

Jack C. Carlisle, a 55-year-old black man, filed charges of race and sex discrimination with the California Fair Employment Practices Commission on March 24, 1974, and with the Equal Employment Opportunities Commission (EEOC) Jan. 8, 1975.

When Carlisle was denied immediate action by these commissions, he obtained a "right to sue"

letter last September issued by the U.S. Department of Justice against Bunzel and the University.

According to the unemployed librarian, his supervisor Rosemary Thorne had continually singled him out for written reprimands.

He also claims he was not scheduled for tours and other departmental assignments designated to

caucasian employees lack people.

Carlisle claims Thorne was indignant and reactionary. He also accused Bunzel of being indignant to the gains of black people.

Thorne's reply to the allegations was: "It's a personnel matter and I don't wish to discuss it."

Carlisle said he was accused of not getting along with fellow staff members. He also claims he has documented proof he was being spied upon.

"I got along fine with the employees when Thorne wasn't present," Carlisle said. "When she came on duty they seemed to back-off."

"The pursuit of justice in this country is ridiculous. The individual citizen is taken advantage of," he continued.

Carlisle claims that he has approached about 30

attorneys, and all have said the case has good merit, but aren't able to take it because of lack of time and money.

Carlisle has a bachelor of music, a bachelor of arts and a master's degree in Library Science. At the time he was fired, he was working towards a master's in music in order to achieve faculty status and tenure.

It's doubtful the case will be tried Sept. 19 since Carlisle has yet to acquire an attorney.

However, Carlisle contends, "The case will be tried. I will retain my job, I will be reimbursed my back pay, and I will obtain tenure."

# Councilman, students in fracas

(Continued from page 1)

The two students said they didn't realize Runyon was a councilman. Grady said he learned about the councilman's status the next day in a newspaper article.

Runyon was unavailable for comment yesterday, but revealed to the San Jose Mercury-News that he regretted his language during the incident.

Runyon claimed he was not drunk and was quoted, "If I was drunk I should have been arrested. Because I was not arrested, there's no way to prove it one way or another."

Police reports indicate Runyon was belligerent, smelled of alcohol and appeared to be intoxicated. They also charge Runyon unduly tried to use his influence as a councilman. Runyon and his attorney, R.C. Ackerman, are now charging that police treated the purported assault of Bonnie Priest as "nothing more than a kissing match."

Earlier that Friday

evening, Runyon was involved in a hassle over refusing to pay a \$1 cover charge at the Laundry Works Restaurant.

Reportedly, the councilman was "rude and obnoxious" and reminded the manager he had cooperated for street fund improvements for the restaurant in the past.

Police tapes of the downtown incident reveal the councilman views his civil rights as "different" from the average citizen.

Runyon demanded during the downtown hassle that San Jose Police Chief Joseph McNamara be notified about the event.

When police refused and asked if his rights were different from anybody else's, Runyon shouted, "Yes my rights are different."

The councilman also made numerous references to the police force's pay raises and threatened demotions and suspensions of officers on the scene.

"The police told us they were going to give us a fair shake," he said.

Councilman Runyon has been involved in similar tiffs in the past. Last fall the former realtor gained attention for an argument that developed over the removal of his campaign signs at the Democrats' victory party.

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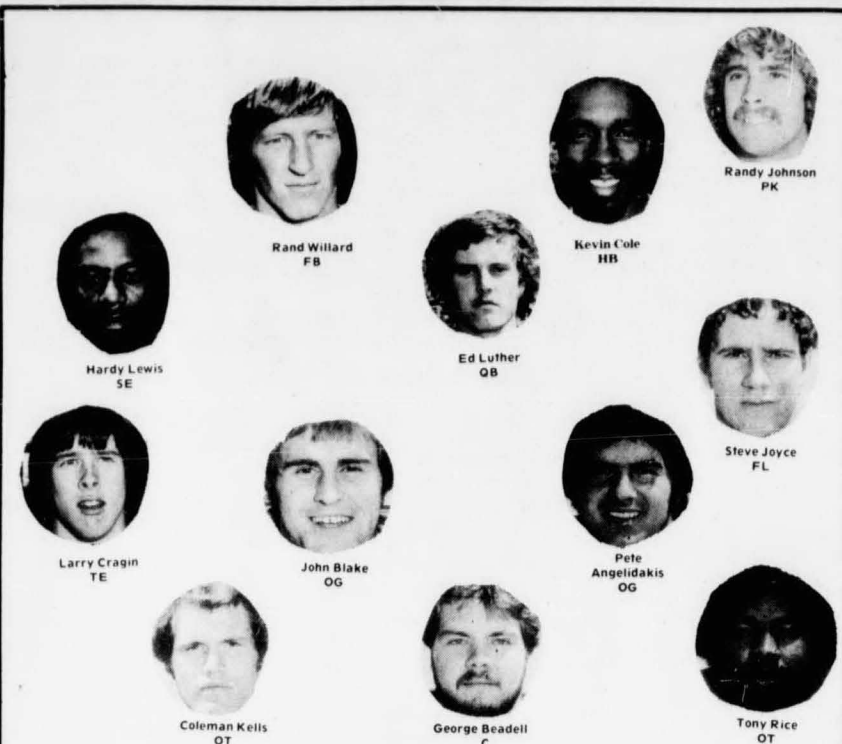
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# SPORTS



Above is the probable offensive lineup head football coach Lynn Stiles will employ against Utah State Saturday afternoon in Logan. Notable faces missing because of graduation include John Blain (ot), Steve DeBerg (qb) and Rick Kane (rb).

## New faces dominate Spartan football team

**By Gary Peterson**  
Rebuilding year-next to "knee injury" and graduating seniors" the most dreaded phrase in college football.

Yet here is SJSU head coach Lynn Stiles freely admitting this year will be one of reconstruction for the Spartans.

"Yes, this is a rebuilding year," he says, immediately adding, "but it doesn't mean we won't win some games."

Perhaps Stiles' evaluation isn't so surprising considering the wealth of talent lost to last year's graduation.

Gone is Wilson Faumuina to the Atlanta Falcons, along with the whole starting defensive line.

Gone is Rick Kane, to the Detroit Lions and quarterback Steve DeBerg to the Dallas Cowboys, along with the entire starting offensive backfield.

In all, 23 players are gone from last year, eight of whom were talented enough to ap-

pear in pro camps this summer.

On the other hand, Stiles' optimism is understandable, as the Spartans are still rated the top team in the PCCA, and could turn a rebuilding year into a resounding success if they can handle three Pac-8 teams on the schedule (Washington, California and Stanford), plus rival San Diego State.

Stiles says there are three areas in which SJSU will have to excel to be successful.

"First, and most important, we need good performances from our defense. Second, our kicking game must be strong and third, we need a good offense."

Turning to the offense, offensive coordinator Pete Katella says the key is simplicity.

"We're building on fundamentals," he says. "We have a lot of new faces, and in a case like this it's better to emphasize simplicity."

The new faces include quarterback Ed Luther, halfback Kevin Cole, fullback Rand Willard and receiver Hardy Lewis in the starting lineup.

Only receiver Steve Joyce is a senior among those starting at the "skill" positions.

In limited action last year, Luther hit on 57 percent of his passes for 339 yards, three touchdowns and four interceptions.

The strength of the offense may be the line, with returning seniors filling four of the six positions up front.

George Beadell will anchor the line at center, flanked by guards John Blake and Pete Angelidakis and tackles Coleman Kells and Tony Rice. Larry Cragin will be the tight end with Vic Rakhshani out indefinitely with a bad ankle.

In addition to being experienced (Angelidakis and Cragin are the only non-seniors), the line is also big

(from tackle-to-tackle they average 6-4, 250), and talented (Rice was All-PCAA last year, Blake was an All-Coast nominee and most improved Spartan.)

Not surprisingly, Katella will try to maximize the talents of the line by emphasizing ball control.

"We'll basically use an 'I' formation similar to the one USC uses," he says. "We'll still be throwing the ball, but our passing game will be built on ball control."

Not to mention simplicity.

"Our passing game looks complicated," Katella continues, "but it's not. We use simple routes, and variations of those routes."

The placekicking duties will be handled by junior Randy Johnson. A soccer-style booter, he came to SJSU from Palomar College where he once thumped a 53-yard field goal.

## Unbeaten soccer team battles SJSU alumni

The Spartan soccer team will try to complete its 1977 exhibition season undefeated when it takes on the SJSU Alumni team tonight at 8 at PAL Stadium.

Coach Julie Menendez's group is 1-0-1 after battling the Portuguese Athletic Club to a 2-2 deadlock last Friday and demolishing the Industrial League all-stars 5-0 Sunday.

"We had good reserve strength," Menendez said after the Sunday win. "We played them hard in the first half and our pressure didn't let up after that. We tired them out and we're able to penetrate."

The Spartans punctured the Industrial team for four goals in the second half, while goalie Sean Keohane notched five saves in going the distance.

Ismael (Easy) Perez scored his second goal of the young season to give the Spartans a 1-0 lead after the first 20 minutes. Perez, who scored 23 times in each of his nation-leading freshman and sophomore seasons, drove a shot home from the right side after an assist from Steve Ryan.

Goals, by Albert Gaspar, George Beckwith,

Scott Stisser, and Joe Silveria completed the rout.

Menendez said he was pleased with the overall performance of his team during the two contests, in which most of the players received a substantial amount of playing time.

"We have basically a sophomore and junior team this year," the coach noted,

"and we're a bit more mature than last year. We have more size, so we're not as apt to get pushed off the ball."

Backup goalie Paul Coffee was victimized by a hurt knee and did not see action Sunday. Joe Salerno also has a hurt knee and Menendez does not know whether the duo will be playing tonight.

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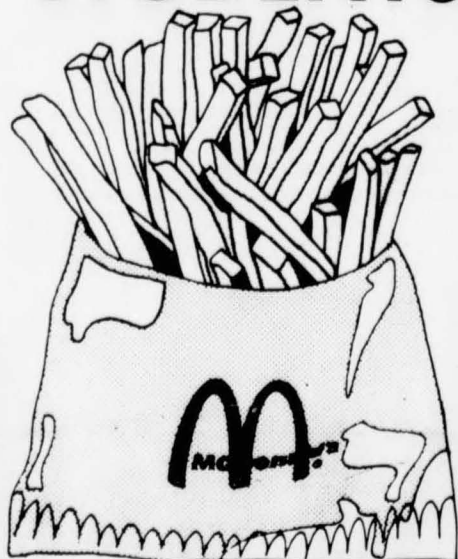
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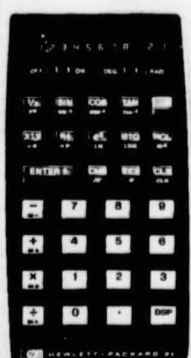
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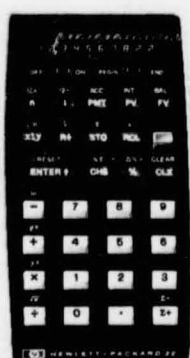
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# DOWNTOWN

## Alcoholics

### High court edict: drunks may be jailed

By Jan Greben  
Downtown drunks. They could be called central San Jose's endless enigma.

Merchants fret that their businesses are negatively affected. Citizens strolling down the street complain of harassment by drunks. And although different solutions to the problem have been attempted, alcoholics continue to flourish in the downtown area.

The latest effort at solving the puzzle is rather simple. If all 74 beds in Santa Clara County's alcohol detoxification centers are occupied, any more drunks found by police on the streets will be arrested and given a 20-30 day sentence.

The new policy was prompted by a July 20 California Supreme Court decision, upholding an Alameda County Appellate Court verdict that, in effect, gave police the authority to arrest an intoxicated person when a detox center is filled to capacity.

The Deukmejian Act, still law in Santa Clara County, is of a different tone than the present

strategy. Enacted four years ago, its purpose is to take the criminal status out of what some believe is a medical problem.

According to the act, police cruise the city and pick up drunks, who are then screened for a medical problem at the Park-Alameda Detox Center on Lenzen Avenue. Those with a severe ailment are taken to Valley Medical Center. Those who elect to stay at the center can "dry out" for a couple of days.

The controversy surrounding the act has been the question of how long a drunk should be



Ernie Graves, executive secretary of the Small Business Association (SBA), one of the proponents of the new program, has long dreamed of a long-term holding facility for the chronic drinker. A long-term facility is

working on a more immediate goal: the repeal of the Deukmejian Act.

Following the California Supreme Court decision, several people, including Graves, helped persuade the police department, to follow Alameda County's lead.

The police department began to arrest drunks for misdemeanors that were already listed in the penal code. Previously, unless the crime was of a more serious nature, they would take the drunk to the detox center.

Now, Graves believes, the Deukmejian Act is "obsolete."

The County Bar Association disagrees. Last Friday, upholding an earlier decision, the association refused to approve the repeal of the act. Graves, because of the

precedent set by the Alameda County case, had expected the decision to go his way.

Graves now will have to use different tactics to achieve his aims.

Earlier this year, the board, which would make the final decision on the validity of the act, unanimously upheld it.

Though most people involved in the controversy are glad that a long-term facility will be built, some are dead-set against the Deukmejian Act being abolished.

"If it's repealed," remarked A.C. Alaniz, director of the Alcoholic Drop-In Center, located at 138 E. Santa Clara St., "then the whole purpose will be defeated. For an alcoholic to be cured, it has to be a voluntary commitment on his part."

"I know," continued the former alcoholic, "that if a program is involuntary, which it will be without Deukmejian, then it's wrong and it won't do as much as it could."

Graves disagreed, arguing that "you have to stay on their (drunks') case night and day."

While David Hampton doesn't really like the Deukmejian Act, he believes it is the best possible solution at this time. He doubts it will be repealed.

Hampton also stated that "Admissions will go down. In 1976, we treated 23,000 hardcore drunks. If the present policy continues, we would only treat 17,000 this year, a substantial decrease. The others would either be in jail or just would not show

up." The three men involved also discussed additional points to consider.

Since the act is enforced in only seven of California's 58 counties, Graves believes many inebriates travel from other counties to the relative "easy-street" life of Santa Clara County.

Alaniz denied this, stating that the number of drunks in his center has been constant for the last year.

The budget for the Deukmejian Act is \$5.2 million a year. For a drunk to be processed through Park-Alameda, each visit costs approximately \$70. Hampton confirmed these figures. Graves called this "a waste of taxpayer's money."

Nine drunks were screened on more than 100 occasions last year, including one drinker who made 158 visits to Park-Alameda. Graves contended that this "bottlenecks the detox center for the respectable alcoholic who says to

himself, 'I need help.' He certainly isn't going to get it at a detox center."

On the other hand, Hampton stated that many "respectable" alcoholics can be handled as outpatients.

Everyone does agree on one point. There is as yet no true solution to the problem.

"A lot of these guys aren't criminals," Graves said. "They just have personal problems. I wish that some kind of aptitude training program could be set up because in itself, detox is a good program."

"The problem is that all they are doing is drying the inebriates out for a day and creating jobs for the bureaucracy. Long-term facilities are a good start, but much more is needed."

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*"A lot of these guys aren't criminals, they just have personal problems."*

detained in a detox center. The decision to stay or leave is left up to the individual unless, according to David Hampton, Santa Clara County alcoholism services director, "the person is deemed a threat to himself or to society. Then we hold on to him."

now about to become a reality. Federal public works totaling \$2 million have been made available to build such a facility. Construction will begin within 90 days.

With this accomplished, Graves is now

## Paper offers alternative

By Cinde Chorness  
Although SJSU students are often too busy to read past the front page of the Spartan Daily, those interested in widening their horizons might look into another perspective of the world—a socialist perspective.

The Militant, the Socialist Workers Party (SWP) nationally distributed newsweekly, offers a viewpoint rarely found in the Chronicle, San Jose Mercury or Spartan Daily.

Published "in the interests of the working people," the Militant presents a socialist perspective of national and international issues, with an emphasis on events involving blacks and other minority groups, the women's movements and the battle for gay rights.

The Militant is distributed in San Jose by the SWP branch, located at 942 E. Santa Clara St.

Greg Hodges, 26, member of the SWP for six years and a painter by occupation, called the paper "an excellent tool for education and recruitment. People stop to discuss ideas while we are selling newspapers."

"Not only does the Militant give a socialist perspective," Hodges said, "we also offer solutions to problems."

Hodges said most newspapers make solving problems seem hopeless, encouraging a feeling of isolation.

"We tell people there is an alternative, and they are not isolated," Hodges said.

According to Hodges, traditional newspapers encourage this feeling of powerlessness and isolation because they support the capitalist system.

That is the dividing line between their newspapers and ours. They support the capitalist system and we don't. These papers are in support of private property and low wages for workers. They support a system

based on war and racism," Hodges said.

Published in New York, the Militant has a national circulation of 30,000.

The SWP's 75 branches, located throughout the country, cover local events and send articles to the New York office.

The Militant has published articles from the San Jose branch on the Danny Trevino controversy, the anti-apartheid protests at Stanford University and the campaign of SWP

candidate Sandy Sherman, who ran for city council in June 1976.

SJSU freshman Darren Crown, 17, joined the Young Socialist Alliance when he was 13 and later became a member of the SWP. He feels the Militant is one of the most important ways of presenting the socialist viewpoint to the public.

"We want to be open to the public," Crown said. "The Militant is an opportunity to put down our ideas and present our views on major issues."

Crown said a common complaint about the newspaper is that it conveys a "pessimistic" outlook.

"But when you look at the average newspaper a problem is stated without calling it a problem. We say what the problem is, and that something can be done about it."

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GO FOR IT WITH THE SKI CLUB, San Jose

State's largest and most active club is having its first meeting Thursday, Sept. 8, at 7:30 p.m., in the S.U. Ballroom. The lead-in on upcoming parties, dances, and other activities will be given along with plans for the Ski Season-like ASPEN over XMAS break, and weekend trips to Tahoe. Everyone is welcome to join, skiers and non-skiers, students and non-students.

Upcoming events: Beach party Sept. 10, and Vasona picnic Sept. 18. GO FOR IT!

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## SJSU bookstore lines bring student blues

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## A.J. Dept. criticized

Continued from page 1  
The A.J. Department at SJSU poorly prepares students for these aspects of law enforcement, he claimed.

Sgt. Hal Terrants, a San Mateo sheriff and president of that county's sheriff's association, said some SJSU instructors rely too much on textbooks.

"There was a lot of valuable information in the books," said Terrants, a December 1976 SJSU graduate, "but it needed to be supplemented by group discussions in class to help apply the material to real life."

"A lot of the students are working cops like me who can share their experiences with the younger students."

Peoples said some students who come in from the field "don't want to broaden their perspectives."

"A lot of them want to immediately apply to their jobs everything they are taught in the

classroom," he said. "We're not here to train technicians in that sense. They'll go through that training when they get to the police academy."

The role of the A.J. Department is to turn out people who can communicate well and who can critically analyze "what they should do and not just how to do it," Peoples said.

Jensen also criticized the "inexperience" of many of the law enforcement instructors.

"I used to sit in class and listen to instructors who knew less than I did," he said. "They all ought to have some experience as police officers so they can show both sides of issues."

Peoples said half of the eight full-time faculty members teaching law enforcement majors have degrees in the criminal justice field and have spent some time working for a police force.

Those that have no experience teach primarily in other majors, he said.

(Continued from page 1)  
His participation in extracurricular teaching activities was ignored at some review levels.

Because the A.J. Department had no norms for student evaluations, McNerney was compared with instructors in other departments, and this isn't an accurate measure of student opinion.

The criteria for peer evaluations were ignored in some cases, "resulting in an overall interpretation ... that was both inaccurate and arbitrary."

No disciplinary action will be taken against the two faculty members whose statements were "discredited" or inaccurate, Sasseen said, because "they were just giving their best judgments" when they criticized McNerney.

"That doesn't mean they were right," Sasseen said. "It would destroy objective peer evaluations if professors are disciplined because they make a mistake in judgment."

If the two instructors had been

## McNerney

## Promote Duman, arbitrator orders

Law professor claims librarian entangled in 'catch-22' situation

An outside arbitrator, claiming Robert Duman was caught in a "catch-22" situation, ordered the SJSU administration to promote him from senior assistant librarian to an associate professor with Continuing Education.

Arbitrator Joseph Grodin, a professor at Hastings College of Law, agreed with a campus grievance committee's recommendation, made in December, that Duman be promoted.

SJSU President John Bunzel disregarded the committee's recommendation early this year and Duman immediately sought arbitration.

"When I returned to the university in fall 1973," Duman said, "I took a position in Continuing Education with the verbal understanding that this wouldn't hurt my promotions from within the library."

When Duman sought promotion three years later, "the library review committee said I couldn't be promoted because I didn't work in the library any more," he said.

In his 35-page report, Grodin wrote, "I do not find the president's disagreement with the (grievance)

committee recommendation to be justified."

The grievance committee recommended Duman's position be shifted to Continuing Education with an appropriate change in title and that he be promoted within Continuing Education to associate professor effective Aug. 25, 1976.

Under Chancellor policy, Grodin was limited to agreeing with either the university or grievance committee.

But in his conclusion, Grodin wrote, "If I had the power to do so I might have reached a different result from that of the committee with respect to the remedy provided."

Duman said "it is clear from the context" of Grodin's report his solution would have been "a simple, straight promotion to associate librarian" without bothering to transfer Duman's rank to Continuing Education.

Dean of Faculty Robert Sasseen, who defended the university during the hearing, said he didn't know "what Grodin had on his mind."

"I wasn't able to see any clue in the document," he said.

## Executive dean post might remain unfilled

The fate of SJSU's executive dean post, vacated by Douglas Picht last Thursday, is still up in the air according to Executive Vice President Gail Fullerton.

Picht resigned the post Feb. 1, giving no reason for the resignation. He had held that position since September, 1975.

Fullerton said SJSU President John Bunzel has made no decision on what will become of the position--whether another dean will be hired, or the position phased out.

As executive dean, Picht was responsible mainly for planning campus construction and the budget in the executive area. These responsibilities have been delegated to other administrators, pending

Bunzel's decision.

Fullerton said the president will make a decision on the matter sometime this fall. A change in job definition might be in order if the position remains, she added.

The position has dealt with building on campus," Fullerton said, "but there's just not that much building going on now."

Should another dean be hired, she added, the position may be redefined in a no-growth context.

Picht, who would give no reason for his resignation last spring, still refuses to reveal why he quit.

He also refused to comment on reports that he applied for administrative positions at other institutions.

## Taiwan prof arrives

Dr. Ko-wang Mei of Taiwan has been appointed as a visiting distinguished professor in the Administration of Justice Department at SJSU for the 1977-78 academic year.

Mei will teach AJ 196D, Comparative Justice Systems Lecture, and AJ 206, Comparative Justice Systems Seminar. There are still course openings for majors and non-majors.

Mei, 59, president emeritus of the Central Police College in Taiwan, has taught at the Chinese National War College, Taiwan Chung Hsin University, the Chinese Cultural College and the National Taiwan University to achieve faculty status and tenure.

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